

BLOODS UP FOR STRUGGLE WITH FORAKER

Roosevelt Is Determined
to Win Victory Over
Opponents.

Animated Debate Ex-
pected as to Adminis-
tration's Course.

White House in Close
Touch With His Back-
ers as to Issues.

The controversy over the President's action in discharging three companies of colored troops has been intensified by the developments in the Senate Thursday. Instead of being nearer a solution, an adjustment is more remote than ever, and the feeling in the Senate on the part of the opponents of the President's course and the administration supporters, is more intense than ever. The President is keeping in the closest possible touch with developments, and is more determined than ever to win a victory over Senator Foraker and those members of Congress that are aligned with the Senator. Things have reached such a stage now that the slightest development in the Brownsville matter is at once telephoned to the White House by the President's friends, and on the other hand the backers of the President in the Senate are freely counseled by the President.

Trouble on Monday.
The Senate adjourned yesterday afternoon, leaving the question pending. It will be taken up for consideration Monday, immediately after the close of routine business. It is expected a highly animated debate will develop Monday, involving particularly the constitutional and legal phases of the administration's course.

Senator Lodge has emphasized the legal side of the controversy by the introduction of an amendment to the Foraker resolution, and it is expected the amendment is intended to put the Senate on record in the resolution to the effect that the President is discharging the troops in accordance with his constitutional power as commander-in-chief of the army.

Resolution Important.
Senator Foraker and his friends realize fully that to allow the Senate to go on record in this fashion would dispose of the constitutional side of the controversy. It would practically nullify the efforts of those that oppose the President's course to put the President in the position before the country of having usurped authority that belongs to Congress. It would also dispose of the investigation, which, it is now generally agreed, will pass, to a mere investigation of the facts. The administration would regard such an investigation, stripped of all reference to constitutionality of White House action, as harmless.

Senator Foraker, when the Lodge amendment was introduced, promptly announced he was opposed to it. He is likely to speak in opposition to the amendment. He said when the amendment was presented that the resolution should be confined to its purpose, an investigation of the facts, and that when the facts were fully developed then would be time to consider the constitutionality of the order of discharge.

Lodge in Defense.
When Senator Lodge presented his amendment he took the ground that while he was not prepared to say what were the facts, he deemed it perfectly clear the President had acted constitutionally. He did not wish to enter into the argument of the matter, as he was suffering from a sore throat and cold, and it was because of this that Senator Foraker, who is anxious to get his resolution acted on, consented to allow the matter to go over. Monday Senator Lodge is expected to argue the constitutional side of the case. Senator Spooner is also understood to be prepared to support the President on the legal phase of the discharge order, while Senators will probably be drawn into the controversy.

It is generally recognized that the most important phase of the Senate's action is the presentation of additional evidence, particularly the sworn testimony before the grand jury that investigated the shooting at Brownsville. He brought out the fact that the issue was whether soldiers or civilians did the shooting, and read grand jury testimony of several witnesses to the effect that the men that did the shooting were recognized as colored soldiers by their clothing and their voices, to say nothing of the shells, bullets, and clips belonging to army magazine rifles that were picked up later.

Foraker Amused.
Senator Foraker exhibited the amusement of the Senate and the galleries by his reply, which was directed solely to the statements made by Senator Culberson, to the effect that the Ohio Senator had reflected in his speech before the recess on Captain McDonald, of the Texas Rangers. Senator Foraker read articles from newspapers picturing Captain McDonald, to the effect that the captain was willing to meet Senator Foraker, but did not wish to make him trouble, and depicting the Rangers captain as a man-killing peace officer with many notches on his gun handle. Senator Culberson defended Captain McDonald, who investigated the affair for Governor Lauman, of Texas, and created a buzz in the Senate when he said:

"There is one thing I ought to add to what I have said about Captain McDonald, in view of the wish expressed in this chamber a few days ago to meet him, but which has been omitted from the record. It affords me very great pleasure to say in the same spirit that he never declined an invitation of that character in all his life, and he is too old to change his habits now."

RAFF MAKES ASSIGNMENT.

Elias Raff, a wine dealer on Seventh street southwest, today made an assignment for the benefit of his creditors, naming Attorney George E. Trail as assignee.

Mr. Raff makes returns of assets, a stock of wines and liquors, valued at \$5,000, and estimates his liabilities at \$15,000. Mr. Trail is required to appear in court to enter into bond in the sum of \$5,000 for the performance of his trust.

THE CHARGE:
Violation of the Interstate Commerce regulations and incidentally the Sherman anti-trust law.

THE DEFENSE:
Independent operation of the various roads and freedom from violation of any Federal law.

Harriman Won't Be Given Chance To Escape Grill

Railroader Must Face Commission

Too Ill to Appear for
Examination When
Inquiry Opens.

NEW YORK, Jan. 4.—E. H. Harriman was too ill to appear before the Interstate Commerce Commission when that body today began its investigation into the Union Pacific and Southern Pacific merger, but he has been summoned to appear before the commission on Monday, and it is expected that he will be the most important witness of the entire investigation. While the chief purpose of the Government's attorneys is to prove that the Union Pacific and Southern Pacific are parallel and competing roads and that their joint ownership is contrary to the Sherman anti-trust act, it is expected they also will go deeply into the financial operations of Mr. Harriman and his associates.

Wall Street Cautious.
Of these operations Wall Street has been particularly anxious to learn in detail since the scandal caused in August last, by the method of declaring the Union Pacific and Southern Pacific dividends.

Many important witnesses were present when the session began in the Federal building. Among the witnesses who have been summoned are A. L. Mohler, vice president and general manager of the Union Pacific system; J. C. Stubbs, traffic director; William Mahl, controller; Alexander Millar, secretary; W. S. V. Thorne, director of purchases; and Julius Kruschitz, director of maintenance and operation, all of the same system.

Many of the facts pertinent to the inquiry are said to be matters of record, and a number of sessions probably will be given over to the introduction of such documentary evidence as the commission shall require.

Other Roads Concerned.

In this connection the officers in the various Harriman companies will be called upon to testify as to the conditions of the different systems, as shown in the annual reports. In addition to the Union Pacific and Southern Pacific, the companies which will probably figure most prominently in the inquiry will be the Oregon Short Line, the Oregon Railway and Navigation Company, and the San Pedro, Los Angeles and Salt Lake companies.

There is also a report that, as the inquiry develops, the commission may call as a witness Mr. Harahan, the newly-elected president of the Illinois Central.

Rebuke for Millburn.
A severe rebuke was administered to John G. Millburn, counsel for E. H. Harriman by Chairman Knapp, of the Interstate Commerce Commission for requesting that E. H. Harriman be examined at his home in the Union Pacific and Southern Pacific inquiry. Mr. Millburn explained Mr. Harriman's absence on account of illness. He suggested that the commission take his testimony at his own home. Mr. Harriman is ready and willing to testify today if necessary, said Mr. Millburn.

"It would be manifestly improper for this commission to be expected to go to the homes of private individuals to take their testimony," said Mr. Knapp. "It does not matter who the individual may be, this commission will not make any exceptions to the ordinary routine of business."

**PLAN MEMORIAL
IN BELT'S HONOR**
Fellow Physicians Seek
\$10,000 Infirmary Endowment.

The resident staff of physicians at the Episcopal Eye, Ear and Throat Hospital have started a movement to endow a ward in memory of the work of Dr. Edward Oliver Belt, founder of the institution, who, with his two sons, lost his life in the Terra Cotta wreck last Sunday evening.

Dr. Belt had done much to place the institution on the high plane which it now occupies. If it is possible, \$10,000 will be raised for the ward endowment. Should \$5,000 cover the contributions a free bed will be endowed.

The doctors of the hospital are now at work on a petition, which will be ready in a few days, and which will set forth the high service Dr. Belt gave the institution. Dr. William H. Fox is looking after the details of the petition.

**JANUARY DIVIDENDS
BREAK ALL RECORDS**

NEW YORK, Jan. 4.—Payment of dividends and interest by the large railroad and industrial companies of the country in January will be heavier than for any previous month on record. The total for both of these items reaches more than \$200,000,000, or nearly \$50,000,000 more than the next highest amount for one month. In all lines of business and in all parts of the country the unbounded prosperity of the last year is reflected in the January payments, and the fact that many small companies have entered the dividend-paying ranks, with the large increases in rates of the big concerns, make this heavy total possible.

Wm. Hahn & Co.'s
3 Reliable Shoe Houses

Cor. Seventh and K Sts.
1914-16 Pa. Ave. N.W.
233 Pa. Ave. Southeast

SWEARS TRAIN RUSHED PAST RED SIGNAL

(Continued from First Page.)

koma, and past Silver Springs. I get east-bound trains by Silver Springs, through Takoma, and past University."

"Have you any side jobs?"

"No."

"Handle express?"

"I handle express for the United States Express Company."

"What does the company pay you?"

"Ten per cent on all charges."

"What does the railroad pay you?"

"Fifty-two dollars and fifty cents a month."

"Have any leave?"

"Supposed to have two days a month."

"Ever relieved for drunkenness?"

"No."

"Ever addicted to the use of whisky or cocaine?"

"Never."

"Sell any tickets from Takoma to Washington Sunday night?"

"Anybody get off of 66 when it stopped at your station?"

"Was 66 on time?"

"No."

"Is it usually on time?"

"Except on Sunday."

"What signal did you give 66?"

"What we call a clear signal."

"How long did 66 stay at your station?"

"About one minute."

"How long after 66 left Takoma did you hear about 2120?"

"About two minutes, when Silver Springs called up."

Five Minutes in Rear.

"How long after you let 66 pass did you see 2120?"

"About five minutes."

"What is the distance between Silver Springs and Takoma?"

"About a mile and one-fifth."

"What signal did you give 2120?"

"The red signal."

"What did you expect the engineer to do?"

"To stop."

"What did you say to University when 2120 passed your red light?"

"I said to University, '2120 passed my red light at 6:31 going like hell.'"

"Send the same message to Silver Springs?"

"No. I told Silver Springs, '2120 passed at 6:31.'"

"What kind of a night was it?"

"Foggy night. I ever saw."

"Are you familiar with the duties of engineers on foggy nights?"

"They are supposed to see all signals."

"Where were you when 2120 passed?"

"Standing in my office."

"Did you see 2120 before it arrived at your station?"

"When you saw it pass why didn't you go out and stop 2120?"

"I thought 2120 would still stop after passing the signal. I had no idea 2120 would not stop."

"What was the speed of 2120?"

"Going it at that speed could 2120 have been stopped before reaching Terra Cotta, if some danger signal was given?"

"It could."

Did Not Whistle.

"Did 2120 whistle before reaching your station?"

"No."

"Did 66?"

"Yes."

"Didn't 2120's failure to whistle mean anything to you?"

"No. I thought it would stop."

"Ever hear of trains going at fifty miles an hour stopping and coming back after passing your station?"

"Often."

"Did you go out on the platform to listen for a whistle from 2120?"

"No. My duties were in the office."

"Are your duties so stereotyped that you cannot exercise common sense to save lives?"

"I was in the office waiting to hear from University about 22 clearing that station."

"What was the speed of 66?"

"Twenty-five miles an hour."

"How long does 66 stop at stations?"

"About a minute."

Giving Christmas Nips Ash Contractor's Sorrow

Has to Pay Fines of \$114 Because His Men
Fail to Do Their Work Well During
Happy Yuletide Period.

Giving "Christmas nips" of liquor to ash collectors worked a "boomerang" effect to householders, and, incidentally, cost the ash contractor, during the Yuletide period, a little matter of \$114 in fines, is the statement made today by Superintendent John T. Twohey, of the Street Cleaning Department, in referring to the unusual number of complaints concerning the neglected ash collections.

On one day following Christmas, Superintendent Twohey states, twenty-five complaints were received, and each day for a week the householders who had unpleasant things to relate concerning the delinquencies of the ash collection service numbered from ten to fifteen.

Superintendent Twohey took prompt corrective measures, investigating personally all the numerous complaints, and exacted \$114 in fines. The fault with the service during the holiday season, according to Superintendent Twohey, was due to householders, with a display of good feeling, giving the ash collectors "a nip of Christmas cheer."

"Are you sure you changed the white signal you gave 66 back to red?"

"Yes."

"Before or after 2120 passed?"

"Before."

"Witness repeated this reply in emphatic tones."

"How far had 66 gone before you changed the white to red?"

"About 100 yards."

"What time did 66 pass you?"

"6:35."

"What did you do?"

"I told University."

"What did you do then?"

"Changed my white target to red for 2120 to see."

"Did you tell Silver Springs about 2120?"

"Not until he asked me about 2120."

"Why not before?"

"Because 2120 did not concern him at all."

Look for Lights.

"Is it customary for engineers not to look for lights at Takoma after 6:30 at night?"

"No."

"Do you know of any engineer passing between 6:30 and 7 ever stopping and going back?"

"I do not."

"If all the trains are not passed by 6:30, are you supposed to remain after that hour?"

"Yes; until all trains due around that hour are passed."

"Any torpedoes or fuses at your station?"

"I think so."

"Ever use them?"

"No. Never heard of operators using them."

"What are they there for?" suggested Mr. West.

"For emergencies."

"What distance could the red light have been seen on Sunday night?"

"Thirty-eight of my steps. I measured it."

"All engines blow for a signal when approaching stations?"

"Yes."

"Ever know anything different?"

"Only when whistles were out of order."

Measured the Steps.

"When did you measure the thirty-eight steps?"

"After the accident."

"Had the fog thickened or cleared?"

"I do not know."

"Did 2120 whistle when it approached your station?"

"I did not hear it."

"Witness said he had sometimes closed his office at 6:25 o'clock, but all trains had passed, he said he often remained until 7 o'clock."

"What were the conditions as regards signals then?"

"All signals down."

"Have a light in your office?"

"Yes."

the station to Forest Glen, the next station adjoining.

He said he had been employed on the Baltimore and Ohio only a few months and was not thoroughly familiar with the system. Witness said he put up his signals unusually early because of the fog Sunday night. Dutrow said Phillips at Takoma told him over the wire that 2120 passed his station.

W. E. McCauley, assistant to the chief dispatcher, explained the block system and the duties of telegraphers. He said he arrived at Takoma soon after the wreck and the red signal was still displayed. He said Gateman Lempe, at Takoma, told him 2120 passed while the red signal was hanging out. Witness said he knew Phillips had not been on duty for thirty-six hours.

"Does the operator at Takoma ask permission to remove his signals and close the office?"

"He certainly does."

McCauley said it was the duty of the engineer on 2120 to stop if he did not see a signal at Takoma.

Trainmaster Kelly said any well-trained engineer would have appreciated the danger on a foggy night and proceeded with caution. Witness said the engineer of 66 would have no way of knowing how close 2120 was running to him.

The engineer on 66 had the block, and there was no reason for him to fear 2120 would come in immediately after him. Kelly said 2120 would have only the signals to determine the proximity of 66. It was also stated that 66 was generally late on Sunday night, and this was known to all employees. Witness said he thought the rules in reference to signals at the block station were complied with by the engineers.

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Stuart's Dyspepsia Tablets Restore
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Many a sufferer from Dyspepsia, indigestion and kindred ailments of the digestive organs carries around an absolutely useless stomach—a dead load, and a cesspool for ever-increasing disorders. The muscles are seemingly worn out, the mucous lining has lost its secretory power, and food taken into the stomach lies there and ferments, causing sour eructations, belchings, heartburn, flatulence and other distressing conditions. Many sufferers have given up in despair until they have been induced by some interested friend to try a box of Stuart's Dyspepsia Tablets.

Stuart's Dyspepsia Tablets are the dyspeptic's sure and only hope. They are a natural restorative of healthy action to the stomach and small intestine, because they supply just the elements that the weak stomach lacks—pepsin, diastase, golden seal, and other digestives.

If you are afflicted with any of the symptoms just mentioned, be assured that your digestive organs are losing power—they need help and there is no more sensible help to give them than to supply elements which will do the work of digestion for them.

Stuart's Dyspepsia Tablets have been found by the test of reputable physicians in the United States and Great Britain to have remarkable digestive powers, one grain of the active principle of these tablets being sufficient to digest 3,000 grains of ordinary food. It is plain that the stomach, while the condition of your stomach, or how far your disease has progressed, one only of Stuart's Dyspepsia Tablets will give you an opportunity to regain its lost powers, the muscles will be strengthened, the glands invigorated, and you will be a new man.

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You don't have to pay for any of these bargains until you're ready—your promise is all we ask. Rebuilding sale prices prevail in every department.

Ladies' \$15, \$18.00 and \$20
Tourist Coats **\$6.98**
Tourist Coats in black, brown, red, green and castor as well as fancy mixtures. All well made and nicely trimmed with braid, etc. Rebuilding Sale Price, \$6.98.

Ladies' \$30, \$35 and \$40
Tailor Made Suits **\$12.98**
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Mens' \$15, \$18 and \$20
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Lot of Men's Finely Tailored Black Thibet Suits, also some fancy worsteds, both single and double breasted—concave shoulders. Rebuilding Sale Price, \$9.90.

Mens' \$12, \$15 and \$18
Overcoats **\$7.80**
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